

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

FUJIFILM HOLDINGS CORP.,

Plaintiff,

- v. -

XEROX CORP.,

Defendant.

18 CV 05458 (JGK)

XEROX CORPORATION'S [PROPOSED] CIVIL SCHEDULING ORDER

WHEREAS, Fujifilm Holdings Corp. ("Fujifilm") and Xerox Corporation ("Xerox" and, collectively with Fujifilm, the "Parties") concurrently filed a Joint Rule 26(f) Report and Proposed Case Management Plan in this Action;

WHEREAS, the Parties will appear before the court on September 18, 2018 for a pretrial conference; and

WHEREAS, Rule 16 provides that the Court shall issue a scheduling order setting forth, among other possible topics, the time to join other parties, amend the pleadings, complete discovery, and file motions;

IT IS HEREBY ORDERED that:

1. The deadline for Xerox's motion to dismiss the Complaint is September 28, 2018.
2. The deadline for Fujifilm's opposition to Xerox's motion to dismiss is November 7, 2018.
3. The deadline for Xerox's reply to Fujifilm's opposition is November 21, 2018.
4. In the event that Xerox's motion to dismiss is denied:

(a) Parties shall exchange information required by Fed. R. Civ. P. 26(a)(1) no later than 1 week after the Court's decision.

(b) All requests for the production of documents must be served no later than 2 weeks after the Court's decision.

(c) Xerox must file its Answer to the Complaint no later than 4 weeks after the Court's decision.

(d) Any amendments to the pleadings shall be complete no later than 5 weeks after the Court's decision.

(e) The production of documents pursuant to any requests for the production of documents must be made on a rolling basis and be substantially completed no later than 18 weeks after the Court's decision.

(f) All interrogatories must be served no later than 20 weeks after the Court's decision.

(g) Fact depositions and all fact disclosure must be complete no later than 38 weeks after the Court's decision.

(h) All opening expert reports on any issue as to which a party has the burden of proof must be served no later than 42 weeks after the Court's decision.

(i) All rebuttal expert reports must be served no later than 46 weeks after the Court's decision.

(j) Expert depositions and all expert disclosure must be complete no later than 52 weeks after the Court's decision.

(k) The deadline for the parties to file summary judgment motions will be 56 weeks after the Court's decision.

Dated: _____, 2018

SO ORDERED:

JOHN G. KOELTL, U.S.D.J.